

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Atlanta Field Office
2150 Parklake Drive, NE
Atlanta, Georgia 30345

Date **SEP 16 2019**



U.S. Citizenship
and Immigration
Services

Rohey Faal Jeng
915 Olde Town Place
Jonesboro, Georgia 30236

SEP 16 2019
MSC1990157031

DECISION

Dear Rohey Faal Jeng:

Thank you for submitting Form I-485, Application to Register Permanent Residence or Adjust Status, to U.S. Citizenship and Immigration Services (USCIS) under section 245 of the Immigration and Nationality Act (INA).

After a thorough review of your application and supporting documents, unfortunately, we must inform you that we are denying your application for the following reason(s).

Generally, to qualify for adjustment under INA 245, an applicant must:

- Be inspected and admitted or paroled into the United States;
- Be eligible to receive an immigrant visa;
- Be admissible to the United States for permanent residence; and
- Have an immigrant visa immediately available at the time the application is filed.

Statement of Facts and Analysis, Including Ground(s) for Denial

You filed Form I-485 based on being the spouse of a U.S. citizen.

USCIS received your Form I-485 on October 26, 2018. On July 10, 2019, you appeared for a Form I-485 interview. The Form I-130, Petition for Alien Relative filed on your behalf has been denied as of **SEP 16 2019**. Your Form I-485 is being denied because you do not have an underlying petition, therefore you are not eligible to adjust status.

You have provided no evidence to indicate you are immediately entitled to an immigrant visa on any other basis. Therefore, you are not qualified to adjust status, and USCIS denies your Form I-485. See INA 245(a)(3).

The evidence of record shows that, when you filed your application, you were lawfully present in the United States as a B-2 nonimmigrant visa. Your period of admission as a B-2 nonimmigrant has expired. You are not authorized to remain in the United States and should make

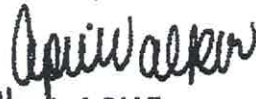
Exhibit "J"

arrangements to depart as soon as possible. Failure to depart may result in your being found ineligible for immigration benefits and inadmissible to the United States in the future. See section 212(a)(9)(B) of the INA.

You may not appeal this decision. However, if you believe that the denial of your Form I-485 is in error, you may file a motion to reopen or a motion to reconsider using Form I-290B, Notice of Appeal or Motion. You must submit Form I-290B within 30 calendar days of service of this decision (33 days if the decision was mailed). If USCIS does not receive the motion to reopen or reconsider within the required period, this decision will become final. See Title 8, Code of Federal Regulations (8 CFR), sections 103.5 and 103.8(b).

To access Form I-290B or if you need additional information, please visit the USCIS Web site at www.uscis.gov or call our National Customer Service Center toll free at 1-800-375-5283. You may also contact the USCIS office having jurisdiction over your current place of residence.

Sincerely,


Kevin J. Riddle
Field Office Director
Atlanta, Georgia

AC1652